United Nations S/2015/64

Security Council

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28 January 2015

Original: English

Letter dated 27 January 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the text of a statement issued on 25 January 2015 by the Policy Department of the National Defence Commission (NDC) of the Democratic People's Republic of Korea (DPRK), in connection with the grim situation now prevailing on the Korean peninsula (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council as soon as possible.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

15-01145 (E) 020215

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Annex to the letter dated 27 January 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to President of the Security Council

Statement of the Policy Department of the National Defence Commission of the Democratic People's Republic of Korea

Pyongyang, 25 January (KCNA) — The Policy Department of the National Defence Commission (NDC) of the DPRK made public a statement on Sunday, 25 January 2015, in connection with the grim situation now prevailing on the Korean peninsula.

Growing stronger than ever before at present is the unanimous desire of the nation to break with the inglorious past and write a new history of north-south relations, true to the noble intention of supreme leader Kim Jong Un, peerless great man. People of the world are also growing strong in their support and encouragement to it in response to the historic appeal for defusing the danger of war and creating a peaceful environment on the Korean peninsula.

But even a basic climate for dialogue has not been created, as north-south relations are not freed from the phase of freeze.

Noting that what is happening at present is very grave, the statement clarified the following principled stand:

1. The south Korean authorities should stop making a wilful interpretation of the measures of great significance in the nation's history taken by the DPRK, and wagging their tongues at will.

The great calls made at the outset of the new year reflect the ardent desire to put an end to the 70-year-long national division and build, earlier, on this land a reunified, powerful country, dignified and prosperous.

But the south Korean authorities backed by their American master are deliberately interpreting and slandering the measures taken by the DPRK, far from studying them deeply and responding positively to them.

To cite a typical example: they are slandering the precious historic measures hailed by all Koreans as an "option to get rid of international isolation", "the last resort to have the economic blockade lifted" and "a peace offensive aimed at stirring up conflict among south Koreans".

They have even gone so blind as to term those measures "proposals little different from the past ones", "measures devoid of sincerity" and "sleight of hand to hold the initiative".

It was not out of any calculation that the DPRK took such new measures. It was neither economic difficulties nor isolation and blockade that prompted it to take those measures.

The undesirable and hostile forces should clearly understand that political isolation, economic blockade and military pressure will never work on the DPRK.

We have never benefited from the U.S. nor have we thought the south Korean authorities would help improve the living standard of our people.

The south Korean authorities should neither misjudge nor make a mockery of the sincere will of the DPRK to put an end to the history of national division, a tragedy being suffered only by the Korean nation in the world.

2. The south Korean authorities should stop disappointing the nation with their double-dealing words and deeds.

They are now loudly trumpeting about north-south dialogue and the improvement of relations.

The present chief executive has talked volumes, regardless of time and place, about "steadily stepping up preparations for unification", "creating conditions for holding dialogue of any form", "conducting trial operation of cross-peninsula railways" and holding dialogue and negotiations for "opening three channels for people's livelihood, environment and culture" and giving "priority" to the reunions of divided families and relatives, while calling for "putting an end to the 70 years of severance and conflicts".

Her loud words are quite different from her practical deeds.

South Korea has already made it an established fact to conduct Key Resolve and Foal Eagle joint military exercises from March and Ulji Freedom Guardian joint military exercises from August as planned while creating the impression that they have nothing to do with the removal of the danger of war and the creation of a peaceful climate.

Under the pretext of making full preparations for "taking a combined defence posture", south Korea, while currying favour with its American master, has introduced aggression troops, including a flying corps of strategic bombers carrying nuclear warheads to its land and vicinity, souring the atmosphere for the improvement of relations with saber-rattling.

What matters is that such moves are being pushed forward in an undisguised manner as part of preparations for a pre-emptive attack on the DPRK in the run-up to the sixty-fifth anniversary of the conclusion of the shackling and sycophantic south Korea-U.S. "mutual defence pact".

3. The south Korean authorities should clearly know that, in case they persistently refuse to respond to the call of great significance in the nation's history made by the DPRK, they will not be able to escape a stern punishment.

Improving and developing inter-Korean relations are the task of the times which brooks no further delay.

The south Korean authorities should respond sincerely to our call for the opening up of a broad avenue to independent reunification by concerted efforts.

Intolerable and unpardonable are the incompetent behaviour of the south Korean authorities criminalizing the just acts to improve inter-Korean relations and allowing human scum inciting confrontation with fellow countrymen to go scot-free, their poor position of failing to create an elementary atmosphere of dialogue and their treacherous acts of joining the U.S. in its moves against national reunification and moves for disturbing dialogue.

It is nonsensical to allow another long period of the tragedy to last, although the nation has spent 70 years in misfortune and pain.

The whole world knows well the will of the DPRK to mercilessly punish the treacherous, anti-peace and anti-reunification acts of the hostile forces.

The south Korean authorities should ponder over their behaviour more than once.

They should not forget even for a moment that all Koreans are following all their moves with high vigilance, ready to punish them.

The army and people of the DPRK will resolutely punish the south Korean authorities in case they continue challenging the historic steps taken by it to re-link the severed bonds and blood vessels of the nation and bring about a great change in mending inter-Korean relations.

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Security Council

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Identical letters dated 28 January 2015 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

Yesterday, the quiet of northern Israel was shattered when four rockets were fired from Syria, two of which exploded in Israel's Golan Heights. The Israeli Government holds the Syrian Government responsible for this and all other attacks emanating from its territory and for all violations of the 1974 separation of forces agreement.

Israel has thus far shown restraint in the face of this dangerous provocation, but will not allow its citizens to be the ongoing victims of these attacks. Israel will not accept any attacks on its territory. When confronted by the Iran-Syria-Hezbollah axis threat, Israel will exercise its right to self-defence and take all necessary measures to protect its population and sovereignty.

I urge the Security Council to unequivocally and publicly condemn these unprovoked attacks on Israel and do everything in its power to prevent further rocket fire from Syria.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

15-01143 (E) 300115

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United Nations S/2015/66

Security Council

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France: draft resolution

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo (DRC),

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the DRC as well as all States in the region and emphasizing the need to respect fully the principles of non-interference, good neighbourliness and regional cooperation,

Stressing the primary responsibility of the Government of the DRC for ensuring security in its territory and protecting its populations with respect for the rule of law, human rights and international humanitarian law,

Taking note of the interim report (S/2014/428) and the final report (S/2015/19) of the Group of Experts on the DRC ("the Group of Experts") established pursuant to resolution 1771 (2007) and extended pursuant to resolutions 1807 (2008), 1857 (2008), 1896 (2009), 1952 (2010), 2021 (2011), 2078 (2012) and 2136 (2014) and of their recommendations,

Recalling the strategic importance of the implementation of the Peace, Security and Cooperation (PSC) Framework for the DRC and the region, and *reiterating* its call to all signatories to fulfil promptly, fully and in good faith their respective commitments under this agreement in order to address the root causes of conflict and put an end to recurring cycles of violence,

Reiterating its deep concern regarding the security and humanitarian crisis in eastern DRC due to ongoing military activities of foreign and domestic armed groups and the smuggling of Congolese natural resources, *stressing* the importance of neutralizing all armed groups, including the Democratic Forces for the Liberation of Rwanda (FDLR), the Allied Democratic Forces (ADF), the Lord's Resistance Army (LRA), the National Liberation Forces (FNL), and all other armed groups in the DRC, in line with resolution 2147 (2014),

Recalling its Presidential statement of 8 January 2015 (S/PRST/2015/1) and *reiterating* that the swift neutralization of the FDLR is a top priority in bringing stability to and protecting civilians of the DRC and the Great Lakes region, *noting with deep concern* repeated reports of collaboration between elements of the Congolese Armed Forces (FARDC) and the FDLR at a local level, *recalling* that the FDLR is a group under UN sanctions whose leaders and members include perpetrators of the 1994 genocide against the Tutsi in Rwanda, during which Hutu

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and others who opposed the genocide were also killed, and have continued to promote and commit ethnically based and other killings in Rwanda and in the DRC,

Noting with great concern that the 2 January 2015 deadline set by the International Conference on the Great Lakes Region (ICGLR) and the Southern African Development Community (SADC) has passed, and that the FDLR has not only failed to unconditionally and fully surrender and demobilize, but has also continued to recruit new fighters in their ranks,

Condemning the brutal killings of hundreds of civilians in the Beni area in recent months, *expressing deep concern* regarding the persistence of violence in this region, and *stressing the need* for a thorough and prompt investigation into these attacks in order to ensure that those responsible are held to account, as well as *calling* the DRC for further military action, in accordance with international law, including international humanitarian law and international human rights law, as applicable, and with the support of the United Nations Organization Stabilization Mission in the DRC (MONUSCO), in accordance with its mandate under resolution 2147 (2014), to end the threat posed by the ADF and all other armed groups operating in the region,

Reaffirming the importance of completing the permanent demobilization of the former 23 March Movement (M23) combatants, *stressing* the importance of ensuring that its ex-combatants do not regroup or join other armed groups, and *calling for* the acceleration of implementation of the Nairobi Declarations and of the Disarmament, Demobilisation, Repatriation, Reintegration and Resettlement (DDRRR) of M23 ex-combatants, including overcoming obstacles to repatriation, in coordination with the regional States concerned,

Reiterating its strong condemnation of any and all internal or external support to armed groups active in the region, including through financial, logistical and military support,

Condemning the illicit flow of weapons within and into the DRC, including their recirculation to and between armed groups, in violation of resolutions 1533 (2004), 1807 (2008), 1857 (2008), 1896 (2009), 1952 (2010), 2021 (2011), 2078 (2012) and 2136 (2014), and *declaring* its determination to continue to monitor closely the implementation of the arms embargo and other measures set out by its resolutions concerning the DRC,

Acknowledging in this respect the important contribution the Council-mandated arms embargo makes to countering the illicit transfer of small arms and light weapons in the DRC, and in supporting post-conflict peacebuilding, disarmament, demobilization and reintegration of ex-combatants and security sector reform,

Underlining that the transparent and effective management of its natural resources is critical for the DRC's sustainable peace and security, *stressing* its full respect for the sovereignty of the Government of the DRC over its natural resources and its responsibility to effectively manage these resources in this regard,

Recalling the linkage between the illegal exploitation of natural resources, including poaching and illegal trafficking of wildlife, illicit trade in such resources, and the proliferation and trafficking of arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region, and encouraging the continuation

of the regional efforts of the ICGLR and the governments involved against the illegal exploitation of natural resources, and *stressing*, in this regard, the importance of regional cooperation and deepening economic integration with special consideration for the exploitation of natural resources,

Noting with concern reports indicating the involvement of elements of the FARDC, as well as armed groups, in the illegal minerals trade, the illegal production and trade of charcoal and wood, and wildlife poaching and trafficking,

Noting with great concern the persistence of serious human rights abuses and international humanitarian law violations against civilians in the eastern part of the DRC, including summary executions, sexual and gender based violence and large scale recruitment and use of children committed by armed groups,

Noting with deep concern reports and allegations indicating the persistence of serious human rights and international humanitarian law violations committed by some members of the FARDC and Congolese National Police (PNC), and *recalling* the importance of fighting against impunity within all ranks of the FARDC and PNC, *commending* the DRC authorities for recent prosecutions and condemnations of two high-ranking FARDC officers for crimes against humanity and war crimes, and *stressing the need* for the Government of the DRC to continue to ensure the professionalism of its security forces,

Calling for all those responsible for violations of international humanitarian law and violations or abuses of human rights including those involving violence or abuses against children and acts of sexual and gender-based violence, to be swiftly apprehended, brought to justice and held accountable,

Recalling all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts, also *recalling* the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to the parties in armed conflict of the DRC (S/AC.51/2014/3) adopted on 18 September 2014,

Calling on all parties to cooperate fully with MONUSCO and to remain committed to the full and objective implementation of the Mission's mandate, *reiterating* its condemnation of any attacks against peacekeepers, and *emphasizing* that those responsible for such attacks must be brought to justice,

Noting the critical importance of effective implementation of the sanctions regime, including the key role that neighbouring States, as well as regional and subregional organizations, can play in this regard and *encouraging* efforts to further enhance cooperation,

Underlining the fundamental importance of timely and detailed notifications to the Committee concerning arms, ammunition and training as set out in section 11 of the Guidelines of the Committee,

Determining that the situation in the DRC continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Sanctions regime

1. *Decides* to renew until 1 July 2016 the measures on arms imposed by paragraph 1 of resolution 1807 (2008) and *reaffirms* the provisions of paragraphs 2, 3 and 5 of that resolution and further *decides* that the measures on arms imposed by paragraph 1 and 5 of resolution 1807 (2008) shall not apply to the supply of arms and related materiel, as well as assistance, advice or training, intended solely for the support of or use by MONUSCO or the African Union-Regional Task Force;

2. *Decides* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008) and *reaffirms* the provisions of paragraph 7 of that resolution;

3. *Decides* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008) and *reaffirms* the provisions of paragraphs 10 and 12 of resolution 1807 (2008) in relation to those measures;

4. *Decides* that the measures imposed by paragraph 9 of resolution 1807 (2008) shall not apply as per the criteria set out in paragraph 10 of resolution 2078;

5. *Decides* that the measures referred to in paragraph 3 above shall apply to individuals and entities as designated by the Committee for engaging in or providing support for acts that undermine the peace, stability or security of the DRC, and *decides* that such acts include:

(a) acting in violation of the measures taken by Member States in accordance with paragraph 1 above,

(b) being political and military leaders of foreign armed groups operating in the DRC who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups;

(c) being political and military leaders of Congolese militias, including those receiving support from outside the DRC, who impede the participation of their combatants in disarmament, demobilization and reintegration processes;

(d) recruiting or using children in armed conflict in the DRC in violation of applicable international law;

(e) being involved in planning, directing, or participating in the targeting of children or women in situations of armed conflict, including killing and maiming, rape and other sexual violence, abduction, forced displacement, and attacks on schools and hospitals;

(f) obstructing the access to or the distribution of humanitarian assistance in the DRC;

(g) supporting individuals or entities, including armed groups, involved in destabilizing activities in the DRC through illicit trade of natural resources, including gold or wildlife as well as wildlife products;

(h) acting on behalf of or at the direction of a designated individual or entity, or acting on behalf of or at the direction of an entity owned or controlled by a designated individual or entity;

(i) planning, directing, sponsoring or participating in attacks against MONUSCO peacekeepers or UN personnel;

(j) providing financial, material, or technological support for, or goods or services to, a designated individual or entity;

Group of Experts

6. *Decides* to extend until 1 August 2016 the mandate of the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions, expresses its intention to review the mandate and take appropriate action regarding the further extension no later than 1 July 2016, and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Group of Experts, in consultation with the Committee, for a period of 18 months from the date of this resolution, drawing, as appropriate, on the expertise of the members of the Group established pursuant to previous resolutions;

7. *Requests* the Group of Experts to fulfil its mandate as consolidated below, with a focus on areas affected by the presence of illegal armed groups, and to provide to the Council, after discussion with the Committee, a mid-term report no later than 30 October 2015, and a final report no later than 15 June 2016, as well as submit progress updates to the Committee, especially in situations of urgency, or as the Group deems necessary:

(a) assist the Committee in carrying out its mandate, including through providing the Committee with information relevant to the potential designation of individuals and entities who may be engaging in the activities described in paragraph 4 above;

(b) gather, examine and analyze information regarding the implementation, with a focus on incidents of non-compliance, of the measures decided in this resolution;

(c) consider and recommend, where appropriate, ways of improving the capabilities of Member States, in particular those in the region, to ensure the measures imposed by this resolution are effectively implemented;

(d) gather, examine and analyze information regarding the regional and international support networks to armed groups and criminal networks in the DRC;

(e) gather, examine and analyze information regarding the supply, sale or transfer of arms, related materiel and related military assistance, including through illicit trafficking networks and the transfer of arms and related materiel to armed groups from the DRC security forces;

(f) gather, examine and analyze information regarding perpetrators of serious violations of international humanitarian law and human rights violations and abuses, including those within the security forces, in the DRC;

(g) evaluate the impact of minerals traceability referred to in paragraph 22 below and continue collaboration with other forums;

(h) assist the Committee in refining and updating information on the list of individuals and entities subject to the measures imposed by this resolution,

including through the provision of identifying information and additional information for the publicly-available narrative summary of reasons for listing;

8. *Expresses* its full support to the UN Group of Experts of the 1533 Committee and calls for enhanced cooperation between all States, particularly those in the region, MONUSCO, relevant UN bodies and the Group of Experts, *encourages* further that all parties and all States ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control and *reiterates* its demand that all parties and all States ensure the safety of its members and its support staff, and that all parties and all States, including the DRC and countries of the region, provide unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

9. *Calls upon* the Group of Experts to cooperate actively with other Panels or Groups of Experts established by the Security Council, as relevant to the implementation of its mandate;

Armed groups

10. *Strongly condemns* all armed groups operating in the region and their violations of international humanitarian law as well as other applicable international law, and abuses of human rights including attacks on the civilian population, MONUSCO peacekeepers and humanitarian actors, summary executions, sexual and gender based violence and large scale recruitment and use of children, and *reiterates* that those responsible will be held accountable;

11. *Demands* that the FDLR, the ADF, the LRA and all other armed groups operating in the DRC cease immediately all forms of violence and other destabilizing activities, including the exploitation of natural resources, and that their members immediately and permanently disband, lay down their arms, and liberate and demobilize all children from their ranks;

12. *Calls upon* all States, especially those in the region, to take effective steps to ensure that there is no support, in and from their territories, for armed groups in the DRC, stressing the need to address the networks of support, financing and recruitment of armed groups active in the DRC, as well as the need to address the ongoing collaboration between FARDC elements and armed groups at a local level, and *calls upon* all States to take steps to hold accountable, where appropriate, leaders and members of the FDLR and other armed groups residing in their countries;

13. *Demands* that the Government of the DRC, per its commitments in the Nairobi Declarations of 12 December 2013, accelerate the implementation of its Disarmament, Demobilisation and Reintegration programme, in coordination with neighbouring countries where former M23 combatants have found refuge and the United Nations and international organizations, *and stresses* the importance of overcoming obstacles to the repatriation of these ex-combatants, ensuring that the DDRRR programme is fully funded and implemented, particularly those programmes necessary to support the successful demobilisation and reintegration of former M23 combatants, that the M23 does not regroup and resume military activities, and that its members do not join or support other armed groups, in line with the Nairobi declarations and relevant UN Security Council resolutions;

Commitments of the Government of the DRC

14. *Welcomes* the progress made to date by the Government of the DRC on ending the recruitment and use of children in armed conflict, *urges* the Government of the DRC to continue the full implementation and dissemination throughout the military chain of command, including in remote areas, of its commitments made in the action plan signed with the United Nations detailing concrete, time-bound measures to release and reintegrate children associated with the Congolese armed forces and to prevent further recruitment, and for the protection of girls and boys from sexual violence, and further *calls upon* the Government of the DRC to ensure that children are not detained on charges related to association with armed groups;

15. Also *calls on* the Government of DRC to pursue its action plan commitments to end sexual violence and violations committed by its armed forces and undertake further efforts in that regard, noting that failure to do so may result in the FARDC being named in the Secretary-General's report on sexual violence;

16. *Stresses* the importance of the Government of the DRC actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end, including through its ongoing cooperation with the International Criminal Court, *encourages* MONUSCO to use its existing authority to assist the government of the DRC in this regard, and *calls on* all signatories of the PSC Framework Agreement to continue to implement their commitments and cooperate fully with one another and the Government of the DRC, as well as MONUSCO to this end;

17. *Recalls* that there should be no impunity for any of those responsible for violations of international humanitarian law and violations and abuses of human rights in the DRC and the region, and, in this regard, *urges* the DRC, all countries in the region and other concerned UN Member States to bring perpetrators to justice and hold them accountable;

18. *Calls on* the Government of the DRC to enhance stockpile security, accountability and management of arms and ammunition, with the assistance of international partners, to address urgently reports of diversion to armed groups, as necessary and requested, and to urgently implement a national weapons marking program, in particular for state-owned firearms, in line with the standards established by the Nairobi Protocol and the Regional Centre on Small Arms;

19. *Emphasizes* the primary responsibility of the Government of the DRC to reinforce State authority and governance in eastern DRC, including through effective security sector reform to allow army, police and justice sector reform, and to end impunity for violations and abuses of human rights and violations of international humanitarian law, urges the Government of the DRC to increase efforts in this regard, in accordance with its national commitments under the PSC Framework;

Natural resources

20. *Further encourages* the continuation of efforts by the Government of the DRC to address issues of illegal exploitation and smuggling of natural resources, including holding accountable those members of the FARDC who participate in the illicit trade of natural resources, particularly gold and wildlife products;

21. *Stresses* the need to undertake further efforts to cut off financing for armed groups involved in destabilizing activities through the illicit trade of natural resources, including gold or wildlife products;

22. *Welcomes* in this regard the measures taken by the Congolese Government to implement the due diligence guidelines on the supply chain of minerals, as defined by the Group of Experts and the Organization for Economic Cooperation and Development (OECD), *recognizes* the Congolese Government's efforts to implement minerals traceability schemes, and *calls on* all States to assist the DRC, the ICGLR and the countries in the Great Lakes region to develop a responsible minerals trade;

23. *Welcomes* measures taken by the Governments in the region to implement the Group of Experts due diligence guidelines, including adopting the Regional Certification Mechanism of the ICGLR into their national legislation, in accordance with OECD Guidance and international practice, and *requests* the extension of the certification process to other Member States in the region, and *encourages* all States, particularly those in the region, to continue to raise awareness of the due diligence guidelines;

24. *Encourages* a swift response by the ICGLR to put in place the necessary technical capacity required to support Member States in their fight against the illegal exploitation of natural resources, and *further encourages* the ICGLR to take immediate actions to fully implement the mineral certification process;

25. *Encourages* all States to continue efforts to end the illicit trade in natural resources, in particular in the gold sector, and to hold those complicit in the illicit trade accountable, as part of broader efforts to cut off financing for armed groups and criminal networks, including those with members in the FARDC;

26. *Reaffirms* the provisions of paragraphs 7 to 9 of resolution 2021 (2011) and *calls upon* the DRC and States in the Great Lakes region to cooperate at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation of natural resources, including wildlife poaching and trafficking, and require their customs authorities to strengthen their control on exports and imports of minerals from the DRC;

Role of MONUSCO

27. *Recalls* the mandate of MONUSCO to support the Congolese authorities in the implementation of their national commitments under the PSC Framework agreement, in line with resolution 2147 (2014);

28. *Recalls* the mandate of MONUSCO to monitor the implementation of the arms embargo, in cooperation with the Group of Experts, and in particular to observe and report on flows of military personnel, arms or related materiel across the eastern border of the DRC, including by using surveillance capabilities provided by unmanned aerial systems, seize, collect and dispose of arms or related materiels brought into the DRC in violation of the measures imposed by paragraph 1, in accordance with paragraph 4 c) of paragraph 2147 (2014);

29. *Notes* that MONUSCO has a role to play in encouraging the consolidation of an effective national civilian structure that controls key mining

activities and manages in an equitable manner the extraction and trade of natural resources in eastern DRC, in line with resolution 2147 (2014);

30. *Requests* MONUSCO to assist the Committee established pursuant to paragraph 8 of resolution 1533 (2004) and the Group of Experts established by the same resolution, within its capabilities, including by passing information relevant to the implementation of the sanctions measures;

Reporting and review

31. *Calls upon* all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 5 of this resolution are based, to regularly report to the Committee on the actions they have taken to implement the measures imposed by paragraphs 1, 2, and 3 and recommended in paragraph 8 of resolution 1952 (2010);

32. *Emphasizes* the importance of holding regular consultations with concerned Member States, as may be necessary, in order to ensure full implementation of the measures set forth in this resolution;

33. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative for Sexual Violence in Conflict to continue sharing relevant information with the Committee in accordance with paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011);

34. *Decides* that, when appropriate and no later than 1 July 2016, it shall review the measures set forth in this resolution, with a view to adjusting them, as appropriate, in light of the security situation in the DRC, in particular progress in security sector reform including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups, with a particular focus on children among them;

35. *Decides* to remain actively seized of the matter.

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Security Council

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Letter dated 28 January 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2182 (2014), adopted on 24 October 2014, by which the Council decided to extend the mandate of the Somalia and Eritrea Monitoring Group for a period of 13 months.

Accordingly, I wish to inform you that, after having consulted the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, I have appointed the following experts, in addition to those appointed in my letter dated 26 November 2014 (S/2014/854):

Somalia

Jay Bahadur, armed groups (Canada)
James Smith, regional (United Kingdom of Great Britain and Northern Ireland)

Eritrea

Amber Jitts, arms (Australia)

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

15-01142 (E) 300115

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United Nations A/ES-10/671–S/2015/68

General Assembly
Security Council

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30 January 2015

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 29 January 2015 from the Chargé d'affaires a.i. of the Permanent Observer Mission of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to draw your attention and, through you, the attention of the international community to the extreme hardships and suffering being endured by the Palestinian people under occupation in the State of Palestine, as Israel, the occupying Power, persists with its gross human rights violations, collective punishment and breaches of international humanitarian law. At this time, we are compelled to highlight the critical condition of Palestinian children, who are being subjected to escalating repression and acts of aggression, in breach of the Convention on the Rights of the Child, the Fourth Geneva Convention and other provisions of international law, resulting in a tragic situation of widespread suffering, trauma and loss of childhoods.

In particular, the situation of Palestinian children detained and imprisoned by Israel, the occupying Power, is a matter of urgency requiring immediate attention and redress. The occupying forces continue to harass and attack Palestinian children in violent raids on towns, villages and refugee camps, at checkpoints and in peaceful demonstrations and continue to carry out pre-dawn raids on the homes of families, seizing children in the dead of night, intensifying the trauma for both child and parents. It is also a routine practice of Israel to detain Palestinian children for extended periods of time without access to parents or lawyers and to subject children to forced interrogations, leading to confessions made under duress, and to beatings, solitary confinement and other forms of psychological and physical torture, as well as to military court trials. Regarding the systematic trial of Palestinian children in Israeli military courts, a report entitled "Children in Israeli Military Detention: Observations and Recommendations" issued by the United Nations Children's Fund (UNICEF) in February 2013 underscores that: "It is understood that this is the first and only juvenile military court in operation in the world".

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Here, we draw attention to the imprisonment of a Palestinian girl, Malak al-Khatib, age 14, who was seized by Israeli occupying forces on 31 December 2014 while walking home from school in the village of Beitin near Ramallah. She is now the youngest Palestinian female held by Israel. The girl was handcuffed and blindfolded upon arrest and was interrogated without the presence of her family or legal counsel and was detained for three weeks prior to her trial, on 21 January, by an Israeli military court. The court, which tried young Malak while her hands and feet were shackled, sentenced her to two months in prison and imposed a fine of $1,500 for allegedly "throwing stones", "possessing a knife" and "blocking a main road", all charges that her family denies. This travesty of justice is but one example of such deplorable acts by Israel, the occupying Power, which is deliberately and directly targeting the Palestinian child population, gravely violating their human rights and denying them and their families the protections of international law.

We condemn in the strongest terms such criminal Israeli actions against the Palestinian people, including children. Regrettably, despite the 2013 UNICEF report, which confirmed that Israeli practices of detaining, imprisoning and abusing Palestinian children amount to "cruel, inhuman and degrading treatment or punishment" in violation of international law, and similar reports by other human rights and humanitarian organizations, including Israeli ones, the occupying Power continues these illegal practices with zero accountability, ruining thousands of Palestinian lives and families.

Approximately 300 Palestinian children are now being held captive in Israeli jails, and a total of at least 1,266 Palestinian children were detained by the occupying forces in the West Bank, including in Occupied East Jerusalem, during 2014, with the majority between the ages of 12 and 15. Yet, it is well known that children as young as five years old have also been detained by Israeli soldiers, and just Sunday, 25 January, a 10-year-old Palestinian boy, Mohammed Afif Khweis, was assaulted and seized by occupying forces in the neighbourhood of Al-Tur in Occupied East Jerusalem. According to UNICEF, in the past decade, Israel has detained "an average of two children per day". Moreover, it has been documented that around 10,000 Palestinian children have been detained by Israel since the year 2000, with the number of child detainees increasing by 87 per cent over the past three years in specific.

We call on the international community to condemn this deplorable situation and to demand that Israel, the occupying Power, immediately desist from such crimes and violations and abide by its legal obligations. All Palestinian children must be released from Israeli captivity and we call also for the release of the rest of the over 6,800 Palestinians, including all women, ill persons and elected officials imprisoned or detained by Israel and for urgent redress of the inhumane conditions of their captivity until their release. The failure to hold Israel accountable for these systematic human rights violations and grave breaches of the Fourth Geneva Convention, including the transfer of prisoners outside of the occupied territory, is only fostering greater impunity, which must be brought to an end.

At the same time, we draw attention to the crisis of Palestinian children in the Gaza Strip. The eight-year Israeli blockade and devastating impact of the Israeli military aggression of July and August 2014 are affecting every aspect of Palestinian life, deepening the vulnerability of the Palestinian civilian population in Gaza, more than half of whom are children. We recall with great sorrow that at least

506 Palestinian children were killed by the Israeli occupying forces, constituting 20 per cent of the civilian death toll, and more than 3,000 children sustained injuries, many permanent and scarring them for life. Moreover, at least 1,500 children were left orphaned by this criminal war, inflicting on them unimaginable pain, anguish and helplessness and increasing the need for their assistance and protection.

We also recall that more than 110,000 people were rendered homeless by the Israeli aggression, which caused the destruction of and damage to thousands of homes, including over 96,000 refugee homes. More than half of the homeless are children and they and their families are suffering miserable conditions in makeshift shelters or prefabricated housing or even in the rubble of their homes during the cold, rainy winter months, with flooding and lack of adequate heating, electricity and water compounding the problems and misery. As stated by Robert Turner, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Director of Operations in the Gaza Strip, "People are literally sleeping amongst the rubble, children have died of hypothermia ... People are desperate and the international community cannot even provide the bare minimum — for example, a repaired home in winter — let alone a lifting of the blockade, access to markets or freedom of movement."

The rising hunger, poverty, isolation and deprivation of Palestinian children in Gaza are cause for despair as well as alarm. We are deeply concerned by the decision of UNRWA to suspend, owing to a lack funding, its cash assistance programme for families in Gaza to repair damaged and destroyed homes or for rental subsidies for the homeless. This will gravely impact needy Palestinian families and exacerbate their plight at a time when they are in desperate need of assistance and protection. We note that, to date, UNRWA has received only $135 million in pledges from the international community, leaving a shortfall of $585 million required for immediate needs. We renew our appeal to the international community to follow through with the generous pledges made at the Cairo Conference, stressing the urgency of such assistance to help to alleviate the immense suffering being endured by Palestinian children and their families under this inhumane Israeli blockade and occupation.

In closing, we reiterate our call on the international community, including the Security Council, to uphold the responsibilities under the Charter of the United Nations, international law and relevant resolutions to address this grave and deepening injustice. Immediate action must be undertaken to address human needs and allay human suffering, including in respect of the vulnerable child population in Palestine, as well as to stem the ongoing deterioration of the situation on the ground and to offer a political horizon forward. This is urgent for averting the further destabilization of the situation, with many foreseen and unforeseen consequences in this regard, as well as for salvaging the diminished prospects for peace and providing hope at a time of widespread hopelessness.

The present letter is in follow-up to our 534 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 5 January 2015 (A/ES-10/670-S/2015/4) constitute a basic record of the crimes being committed against the Palestinian people. Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.

United Nations A/69/754–S/2015/69

General Assembly
Security Council

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2 February 2015
English
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General Assembly
Sixty-ninth session
Agenda item 35
The situation in the Middle East

Security Council
Seventieth year

Identical letters dated 29 January 2015 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

With reference to the deterioration in the security situation in south Lebanon yesterday, Wednesday, 28 January 2015, my Government stresses that it is committed to the provisions of Security Council resolution 1701 (2006) in their entirety. It calls on the Security Council to:

(a) Condemn in the strongest possible terms Israel's bombardment of Lebanon, which constitutes a flagrant violation of the country's sovereignty, the Charter of the United Nations, international law and the resolutions of the Security Council, particularly resolution 1701 (2006);

(b) Investigate Israel's attack on units of the United Nations Interim Force in Lebanon, which resulted in the death of a Spanish soldier, and hold Israel directly responsible for that reprehensible action and all of its consequences.

My Government takes this opportunity to express once again its deepest condolences to the United Nations, particularly the Department of Peacekeeping Operations, and to the Government of Spain and the family of the soldier.

I should be grateful if you would have the present letter circulated as a document of the sixty-ninth session of the General Assembly, under agenda item 35, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

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United Nations S/2015/70

Security Council

Distr.: General
30 January 2015

Original: English

Fifth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 2107 (2013) and covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of my previous report, dated 31 October 2014 (S/2014/776).

2. During the reporting period, bilateral relations between Iraq and Kuwait were marked by significant positive developments. On 21 October, the Speaker of the Council of Representatives of Iraq, Salim al-Jabouri, and a delegation of parliamentarians travelled to Kuwait, where they held meetings with the Prime Minister of Kuwait, Jaber al-Mubarak, the Speaker of the National Assembly of Kuwait, Marzouq al-Ghanem, and a number of Kuwaiti parliamentarians. Relations between the parliaments of the two countries and ways to consolidate and develop those relations, in addition to recent regional developments, were discussed.

3. On 3 and 4 November, the Minister for Foreign Affairs of Iraq, Ibrahim al-Jaafari, also visited Kuwait, where he met the Deputy Prime Minister and Minister for Foreign Affairs, Sabah Khaled al-Hamad al-Sabah, the Speaker of the National Assembly of Kuwait and other officials. The visit was aimed at boosting and cementing bilateral relations between the two countries. The two ministers discussed ways to promote and enhance cooperation and coordination on several issues of mutual interest, most notably security and the regional threat posed by the Islamic State in Iraq and the Levant (ISIL).

4. Goodwill between the two countries was further evidenced when Kuwait supported the request made by Iraq that the Governing Council of the United Nations Compensation Commission agree to a deferral of the requirement that Iraq deposit 5 per cent of oil proceeds into the Compensation Fund pursuant to paragraph 21 of Security Council resolution 1483 (2003). On 18 December, the Governing Council adopted its decision 272 (2014), by which it postponed, until 1 January 2016, the payment of the remaining $4.6 billion in reparation owed to the Government of Kuwait.

5. On 21 December, the Prime Minister of Iraq, Haider al-Abadi, visited Kuwait as part of a regional tour to discuss the common threat of terrorism. He met with Emir Sabah al-Sabah and Crown Prince Nawaf al-Sabah, as well as the Prime

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Minister of Kuwait. The two Prime Ministers discussed a potential relief fund to help rebuild areas in Iraq freed from the control of ISIL. The Prime Minister of Kuwait said that his country was ready to provide all the support needed to its "brotherly neighbour Iraq".

6. On 28 and 29 December, the fourth meeting of the Joint Ministerial Committee was held in Baghdad. Iraq and Kuwait signed key agreements and memorandums of understanding, including on bilateral security cooperation, navigation and trade relations. Kuwait announced the opening of consulates in Basra and Erbil and agreed to facilitate the entry of diplomatic passport holders and all other travellers from Iraq.

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

7. On 11 November, in follow-up to his meeting in August with Iraqi university experts on ground-penetrating radar and topographic techniques, the Minister for Human Rights of Iraq, Mohammed al-Bayati, established joint committees to work on identifying potential grave sites. Also on 11 November, the Iraqi interministerial committee on missing Kuwaiti nationals convened to review progress and to discuss practicalities linked to witnesses, including with regard to bringing to Kuwait those witnesses who had volunteered to do so, with a view to identifying potential grave sites. In response, Kuwait expressed its readiness to welcome all witnesses and to facilitate their tasks as necessary.

8. During the visit by my Special Representative for Iraq to Kuwait on 24 and 25 November, the Prime Minister and the Deputy Prime Minister and Minister for Foreign Affairs expressed appreciation for the efforts of the United Nations Assistance Mission for Iraq (UNAMI) in the search for missing Kuwaiti persons. Nonetheless, they expressed disappointment at the lack of any tangible achievements over the past year. While aware of the difficult circumstances facing Iraq, the Kuwaiti officials underscored their desire to see concrete results. In that regard, they welcomed my Special Representative's suggestion that geographical surveillance expertise be deployed to assist in the identification and analysis of potential grave sites. The Kuwaiti leaders were also briefed on UNAMI efforts to contact a potential Iraqi witness overseas who is believed to hold key information about a site that might contain as many as 180 human remains. My Special Representative stressed the need for more resources to be directed at technical expertise, including for non-governmental partners working on the issue.

9. On 24 November, my Special Representative opened a 10-day exhibition, held at the United Nations House in Kuwait, of some 30 paintings by young Iraqi artists born after 1990 entitled "Innocents". The exhibition, which was jointly sponsored by UNAMI and the United Nations Development Programme, was part of UNAMI efforts to strengthen ties between the people of Iraq and Kuwait and promote social cohesion in the two countries. The exhibition was well received and will be shown in Baghdad in February 2015 and then again in Kuwait, in the second quarter of 2015.

10. My Deputy Special Representative for Political Affairs continued to carry out the tasks with which he was mandated under Security Council resolution 2107

(2013). To that end, he met with several Iraqi interlocutors, including the Minister for Human Rights, the then Under-Secretary for Foreign Affairs in charge of Iraq-Kuwait relations, Mohammed al-Haj Hammoud, the head of the interministerial committee on missing Kuwaiti property, including the national archives, Walid Shiltagh, the head of delegation of the International Committee of the Red Cross (ICRC) in Iraq, Patrick Youssef, the head of the Iraq Programme of the International Commission on Missing Persons, Duncan Spinner, and the Minister for the Interior of the Kurdistan Regional Government, Karim Sinjari. He also met with the Ambassador of Kuwait to Iraq, Ghassan al-Zawawi.

11. Following the Tripartite Commission decision of 22 October to grant UNAMI observer status, my Deputy Special Representative led a UNAMI delegation to Kuwait to attend the bimonthly meeting of the Commission's Technical Subcommittee, held on 19 November. At the meeting, my Deputy Special Representative welcomed the granting of observer status to UNAMI and conveyed his appreciation to the Subcommittee for the opportunity to participate in its meetings for the first time. Expressing the views of all parties he had met in Iraq and Kuwait, he emphasized the urgent need to overcome the impasse that had prevailed since 2004. He reiterated the need for technical expertise from external partners, as well as the usefulness of lessons learned from other countries facing similar concerns, noting that scientific advances could prove useful in this context. With regard to the search for the national archives, my Deputy Special Representative suggested that the Subcommittee tap into the academic expertise of Iraq and advised that this should be done under the aegis of an international organization with recognized expertise and skills.

12. On 14 January, UNAMI participated, for the second time, in discussions of the Technical Subcommittee, at a meeting held in Kuwait. With regard to the suggestion made during the Subcommittee meeting of 19 November regarding the use of new technology to make progress in the search for missing Kuwaiti persons, Iraq confirmed that discussions had been initiated with Baghdad University. Initial feedback indicates, however, that lidar technology might not prove useful for locating human remains. While awaiting final conclusions in that regard, the Iraqi delegation proposed focusing on alternatives, such as ground-penetrating radar techniques.

13. Participants in the meeting also focused on information provided by witnesses who had recently engaged with the Technical Subcommittee to assist in identifying burial sites. A representative of Iraq stated that since the previous Subcommittee meeting, a team composed of representatives of Kuwait, Iraq and ICRC had been sent to the Kuwait-Saudi Arabia border. Despite the efforts undertaken by all parties, the findings of the mission were not conclusive. A representative of Kuwait also presented the findings of excavations that had taken place in mid-October at the Kuwait naval base. These results too remain inconclusive at this stage. Also during the reporting period, on the basis of information provided by Kuwait, a delegation from the Iraqi interministerial committee on missing Kuwaiti persons travelled to the Maaqal site, in Basra, to conduct a survey. The delegation concluded that the site was not appropriate for burying human remains. In the margin of the Subcommittee meeting of 14 January, the witness concerned and the representatives of Kuwait, Iraq and ICRC held a meeting. The witness could not, however, provide any additional information, so the conclusions remained unchanged. The Subcommittee members agreed with the recommendations contained in the draft

framework on the protection of witnesses prepared by ICRC and requested a shorter version focusing on the basic principles for the protection of witnesses.

14. While in Kuwait in November, my Deputy Special Representative took the opportunity to meet with Kuwaiti officials in furtherance of his mandate. He met with Adviser to the Emir Mohammad Abdullah Abulhasan, Under-Secretary for Foreign Affairs Khaled al-Jarallah, the head of the Department of International Organizations, Jasem Mubarakki, Counsellor to the Minister for Foreign Affairs Khalid Maqamis, the Chairman of the National Committee for Missing Persons and Prisoners of War Affairs, Ibrahim al-Shaheen, the head of the ICRC regional delegation to the Cooperation Council for the Arab States of the Gulf, Gerard Peytrignet, and members of the diplomatic community.

15. The Under-Secretary for Foreign Affairs commended UNAMI for its work and the decision to admit UNAMI as an observer to the tripartite mechanism. He also stressed the need for Iraq to act more decisively to achieve concrete results. He reiterated the concerns of the Kuwaiti delegation regarding the lack of progress on missing persons since 2004 and the absence of tangible efforts from the Iraqi side in 24 years, including on the national archives. The Chairman of the National Committee for Missing Persons and Prisoners of War Affairs expressed frustration in relation to what his organization perceived to be a lack of Iraqi initiative. My Deputy Special Representative proposed that Kuwaiti officials and the National Committee for Missing Persons and Prisoners of War Affairs invite the Minister for Human Rights of Iraq to raise awareness and strengthen engagement at the highest level on the issue of missing persons and property. The Kuwaiti delegation welcomed the proposal.

III. Recent activities with regard to the return of Kuwaiti property

16. From 16 to 18 November, the Ministry of Foreign Affairs of Iraq published quarter-page advertisements on missing Kuwaiti persons and property in 13 newspapers, and announced that it planned to repeat that campaign every three months. During his meetings with the then Under-Secretary for Foreign Affairs in charge of Iraq-Kuwait relations and the head of the Iraqi interministerial committee on missing Kuwaiti property, my Deputy Special Representative reiterated his suggestion that the Ministry of Foreign Affairs run a special information campaign exclusively for the Kuwaiti national archives. He urged the Ministry to take steps to convene a meeting of the Joint Property Committee at the earliest so as to comply with the bilateral decision for the Committee to meet every six months. He underscored the importance of such meetings for building understanding and empathy between the parties. His interlocutors agreed with the suggestions and committed themselves to act upon them.

IV. Observations

17. I am pleased that the ties between Iraq and Kuwait continue to grow stronger. This mutual goodwill is commendable. I hope that a formal visit by the Minister for Human Rights of Iraq to Kuwait will take place in the foreseeable future, as an expression of this goodwill. Progress on the issue of missing Kuwaiti persons and

property can only cement this relationship further and contribute to a positive impact at the regional level with regard to other issues, such as security and the threat posed by ISIL.

18. I remain concerned about the lack of tangible results in the search for missing Kuwaiti persons and property, including the national archives. I believe that Iraq can fully understand the frustration of Kuwait and its desire for progress notwithstanding its difficult security and economic situation. The assurances of Iraq that it continues to accord the highest consideration to this humanitarian issue are reassuring. Nonetheless, it is important to note that the status quo is not acceptable to the families of the missing and that no justification, however valid, could relieve their anxiety as they wait to learn about the fate of their loved ones. I encourage Iraq to renew all efforts to reach out to informants and witnesses, both inside and outside Iraq. UNAMI stands ready to assist the Government of Iraq, as appropriate.

19. It is disappointing that no evidence or clues have emerged so far with regard to the national archives of Kuwait. I hope that the suggestions made by UNAMI to use the help of Iraqi academics and to bring new witnesses will be acted upon without further delay. Progress in this area will be instrumental in strengthening bilateral relations between Iraq and Kuwait.

20. In this regard, I reiterate my earlier call on Iraq to quickly adopt new methods in the search for remains, including new forensic and geological exploration techniques, and infrastructure. I must caution that it will only be possible to implement technical know-how and new technologies successfully and sustainably if the requisite systems and management structures are in place. Iraq should not shy away from building its capacity to improve the efficiency of the search, reducing the margins of error and increasing the probability of future success. To that end, Iraq might wish to consider enhancing its national capacity with proven and tested international expertise. Here again, UNAMI stands ready to provide the necessary technical expertise.

21. I wish to commend the work of ICRC in addressing the issue of missing Kuwaiti and third-country nationals, particularly as the Chair of the Technical Subcommittee. In this capacity, ICRC has continued to show leadership in bringing all parties concerned together and ensuring sustained dialogue during the reporting period.

22. I wish to reiterate the appreciation of UNAMI for having been granted observer status to the tripartite mechanism. This demonstrates the willingness of all concerned to move forward on this issue. UNAMI is committed to supporting the Technical Subcommittee by all possible means, including by providing expertise and facilitating dialogue and bilateral exchanges as requested, and by continuing to play an integral and supportive role in the tripartite mechanism.